

**Notice of Allowability**

Application No.

10/781,273

Examiner

Carol S Tsai

Applicant(s)

REEL ET AL.

Art Unit

2857

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/22/04.
2. ☒ The allowed claim(s) is/are 39-50, now renumbered as 1-12.
3. ☒ The drawings filed on 17 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted.. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 39-50 are allowed.
2. The following is an examiner's statement of reasons for allowance:

U. S. Patent No. 6,148,291 to Radican is the reference closest to the claimed invention. Radican disclose a system for monitoring and locating containers within a monitored network of container shipping terminals and destination facilities wherein the system enables a carrier to identify the terminal or facility within a network at which a particular container is located in order that payments to carriers can be made only for containers/goods which have actually been received or unloaded on the customer's premises. However, Radican does not teach a method for billing a customer over a network for use of an environmental data logger, which monitors and stores environmental condition data of contents of a shipping container, the method comprising: connecting the data logger to a network upon receipt of the shipping container at a destination; providing a connection to a billing server to a customer via the network; upon access of the server, allowing the customer to access data stored on the data logger; and billing the customer for accessing the data on the data logger via the billing server; wherein the customer is billed for the use of the data logger only upon receipt of the data logger at the destination and subsequent access of the data; and including all of the other limitations in the respective independent claims.

U. S. Patent No. 6,148,291 to Radican is the reference closest to the claimed

Art Unit: 2857

invention. Radican disclose a system for monitoring and locating containers within a monitored network of container shipping terminals and destination facilities wherein the system enables a carrier to identify the terminal or facility within a network at which a particular container is located in order that payments to carriers can be made only for containers/goods which have actually been received or unloaded on the customer's premises. However, Radican does not teach a method for billing a customer over a network for reprogramming a one-time use environmental data logger, which monitors and stores environmental condition data of contents of a shipping container, the method comprising: connecting the data logger to a network upon receipt of the shipping container at a destination; providing a customer access to a server via a network; reprogramming the one-time use data logger via the network; and billing the customer for reprogramming the data logger via the network, thereby facilitating remote reprogramming of the data logger without requiring the customer to return the data logger for reprogramming.; and including all of the other limitations in the respective independent claims.

U. S. Patent No. 6,148,291 to Radican is the reference closest to the claimed invention. Radican disclose a system for monitoring and locating containers within a monitored network of container shipping terminals and destination facilities wherein the system enables a carrier to identify the terminal or facility within a network at which a particular container is located in order that payments to carriers can be made only for containers/goods which have actually been received or unloaded on the customer's premises. However, Radican does not teach a method of billing a customer for use of a one-time use environmental data logger, which monitors and stores environmental

Art Unit: 2857

condition data of contents of a shipping container, the method comprising: connecting the data logger to a network upon receipt of the shipping container at a destination; providing a connection over a network to a server to a customer; upon access of the server, allowing the customer to access data stored on the data logger; reprogramming the one-time use data logger via the network; and billing the customer for accessing the data on the data logger and for reprogramming the data logger via the network, thereby facilitating remote reprogramming of the data logger without requiring the customer to return the data logger for reprogramming; and including all of the other limitations in the respective independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Contact Information***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carol S. W. Tsai whose telephone number is (571) 272-2224. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571) 272-2216. The fax number for TC 2800 is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2800 receptionist whose telephone number is (571) 272-1585 or (571) 272-2800.

Art Unit: 2857

In order to reduce pendency and avoid potential delays, Group 2800 is encouraging FAXing of responses to Office actions directly into the Group at (703) 872-9306. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and art unit at the top of your cover sheet. Papers submitted via FAX into Group 2800 will be promptly forwarded to the examiner.



Carol S. W. Tsai  
Patent Examiner  
Art Unit 2857

12/04/04